

Introduced by Senator VincentFebruary 6, 2002

An act to amend Section 597l of the Penal Code, relating to pet shops.

LEGISLATIVE COUNSEL'S DIGEST

SB 1357, as introduced, Vincent. Pet shops.

Under existing law, a pet shop operator must carry out specified duties with respect to the care, sale, trade, and adoption of pet animals. A pet shop operator's failure to carry out these duties is punishable by a fine of not to exceed \$1,000, or by imprisonment in the county jail for not more than 90 days, or by both the fine and imprisonment.

This bill would add to the duties that a pet shop owner must carry out the duty of providing written instructions with each sale of an animal for the care, housing, equipment, cleaning, environment, and feeding of that animal. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 597l of the Penal Code is amended to
2 read:



597l. It shall be unlawful for any person who operates a pet shop to fail to do all of the following:

(1) Maintain the facilities used for the keeping of pet animals in a sanitary condition.

(2) Provide proper heating and ventilation for the facilities used for the keeping of pet animals.

(3) Provide adequate nutrition for, and humane care and treatment of, all pet animals under his *or her* care and control.

(4) Take reasonable care to release for sale, trade, or adoption only those pet animals ~~which~~ *that* are free of disease or injuries.

(5) Provide adequate space appropriate to the size, weight and specie of pet animals.

(6) *Provide written instructions with each sale of a vertebrate or invertebrate animal for the proper care, housing, equipment, cleaning, environment, and feeding of that animal.*

(b) As used in this section, *the following terms have the following meanings:*

(1) “Pet animals” means dogs, cats, monkeys, and other primates, rabbits, birds, guinea pigs, hamsters, mice, snakes, iguanas, turtles, and any other species of animal sold or retained for the purpose of being kept as a household pet.

(2) “Pet shop” means every place or premises where pet animals are kept for the purpose of either wholesale or retail sale. “Pet shop” does not include any place or premises where pet animals are occasionally sold.

(c) Any person who violates any provision of this section is guilty of a misdemeanor and is punishable by a fine of not to exceed one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than 90 days, or by both ~~such~~ *that* fine and imprisonment.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within

1 the meaning of Section 6 of Article XIII B of the California
2 Constitution.

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